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Renata Hesse,
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Antitrust Division,
Department of Justice,
601 D Street NW, Washington, DC 20530;
(facsimile) 202-616-9937 or 202-307-1545

Re: The public comment period in U.S. v. Microsoft

Dear Renata Hesse,

I am writing to voice my objections to the proposed Microsoft Settlement. I cannot see how the proposed settlement can be found to adequately punish Microsoft for its antitrust violations. The settlement contains no penalties and actually advances Microsoft's operating system monopoly.

History will remember this settlement as a mockery of justice. How can one 'punish' a monopolist by invoking a punishment that expands its monopoly? The punishment is entirely unfair to those that have been harmed by Microsoft's unfair business practices. Rather than a punishment for the defendant, the settlement punishes the plaintiffs.

At a minimum, the settlement must:

- Place Microsoft products as extra-cost options in the purchase of new computers, so that the user who does not wish to purchase them is not forced to do so. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer (which would prevent computer makers from saying that the difference in price is only a few dollars). Only then could competition come to exist in a meaningful way.
- Require Microsoft to make public all present and future document file formats, so that documents created in Microsoft applications may be read by programs from other software developers, on Microsoft's or other operating systems. This is in addition to opening the Windows application program interface, which is already part of the proposed settlement.
- Require Microsoft networking protocols be published in full and approved by an independent network protocol body. This would prevent Microsoft from seizing *de facto* control of the Internet.

Sincerely,

Mark M. Mills

